(To be preserved)

G. R. S. 527

Previous references
S+A 111-23-142.
S+A 189-20-1,1a,4664-8.
S+A 257-04-10 673.
S+A 172-09-1-4
S+A 127-05-3 67,10,10a,11 412.
Later references
Pollegar family file no 31.
Chikkaballapur Pollegar file No 21.
— do — No 21.
845, 425-22
S M 35 25 9 & 10.
S M 26 26 129
GENERAL AND REVENUE SECRETARIAT.
S P 172 29 1-2.
109-35 (1-2)
232-27 (1-2)
S P 10-46 (1-2)
S P 9-43 (1607)
Serial Nos. 2
S P 9-52 (1-2).

No. S+A 27-24
Serial Nos. 1 to 6

S. & A.

Part I for April 1925

Subject

Prays for the reconsideration of the orders communicated to him in G.O No M 277, 2.7.24 regg the adoption of his daughter's son Venkatswamy Swami Naik of Rayadrug Pollegar family.

Encl. 6. To. The Comptroller to Govt

No M 5454 dt 4.4.25

Directs that the adoption by Mr Hedduswamy Naik of his daughter's son H.V. Venkataramanaswamy Naik be recognised for the purpose of continuing the Pollegar pension of Mr Hedduswamy Naik

746

G. R. S. III-2]

WD 2310—GPB—10,000—31-5-24

General and Revenue Secretariat. | S&A File No. 27 of 19 24

Serial No.

1) From Mr. Muddukumaraswami Naik, Petr of 22.8.24 to the Dewan
Prays for the reconsideration of the orders communicated therein in Govt. No H 27 of 27.7.24 refusing his adoption of his daughter's son — Venkataramanaswami Naik of Ramasamy Palaiyar Family.

Dewans orders on the petn:
Field diary with compliments.
References please.
(Sd) A.R.B. 22/8/24.

3) Submitted with references.

29/8 4) The petitioners request for permission to adopt his daughter's son has been considered more than once and very fully on his previous petitions and has been rejected. Vide Reference files S.A. III-23 Sls 1 & 2 and S.A. 189-20 Sls 1, 4, 6 & 8.

30/8/24

5) 29.8.24

30/8

6) Petr. says that in this case

NOTE—Conton. sheet.

Serial No.

The circumstances are such that he cannot think of adopting a son from the family of his cousins who have been interned [illegible] with him as proved by many police records. He wishes therefore to adopt his daughter as [illegible] ~~it may~~. The adoption would of course be subject to valid consent to Government as to the succession to the Patiala gaddi, but Government will ordinarily recognise adoptions on the male line for the purpose of such succession tho' reserving their right to prevent such recognition in special cases, should they not be satisfied that the circumstances justify it. ~~Any objection to the~~

Dewan

1/10

1) Please ask reply

1 May Dewan

Yes.11

The Secy (A.G. Dept) with compts

6.11.24

2) I have carefully considered the question which involves a principle applicable to many cases of this nature.

× This is the second man who wants to have part to pass for the Olympic games

DEWAN'S OFFICE,
RECD. ON 2. OCT 1924
Reg. No. 2678

NOTE—Contn. sheet.

3)

Serial No.

9) The question relates to the validity of an adoption for the purpose of succession to a Pallegar pension.

10) This question was carefully considered by Government in 1887 and it was held that 'no native State should refuse its recognition to any adoption properly made from among the next of kin' (vide para 6 of G.O. dated 29th October 1887 Mysore).

11) The Government have shown a concession to Pallegars in this matter and have not followed the practice prevailing in British Territory where it is laid down that "pensions granted heriditarily are to cease when the hereditary line fails and are not to pass to adopted children."

12) The Government of Mysore recognised such adoptions on grounds of fundamental principles of Hindu law and precedents of the State under native rule and of general feelings in the matter. Having due regard to these matters the Government laid down that the boy adopted should be the nearest of kin to the adoptive father. The Government -- attached special importance to this condition as regards succession to a Pallegar pension. The Government therefore laid down the rule as follows: 'The strict enforcement of this rule, viz., (that the boy adopted shall be the nearest of kin to the adoptive father) would be the means of keeping the pension in the same family a result which is highly desirable on grounds other than those of mere conformity to Hindu law' (para 9 of G.O. dated 29th October 1887). Thus the policy is clear and will not admit of any deviation both on principle and expediency.

NOTE-Contn. Sheet

13) The adopter has no possible ~~guidance~~ grievance if he

not prevented from adopting any one he chooses according to Hindu law to perform religious ~~xxx~~ ceremonies and to inherit his private property. He cannot insist on Government to continue to pay the pension to any outsider. No principle or justice ~~is~~ can be discernable in the act of Government extending its generous hand and saddling its revenues for generations by monthly payment of a pension to a member of a family who had no manner of connection with Pallepet lands merely on the ground that the Pallegar had chosen him to be his adopted son. By recognition of such an adoption, the Government are, I submit, making a wide departure from established precedents and its declared policy and are incurring a recurring expenditure for many generations for which there will be no justification whatsoever. There are no new grounds made out in the present application to alter my opinion expressed in another File No.111-23 on 8th June 1924.

I am therefore of opinion that there are no grounds to ~~xxxxx~~ reconsider the previous orders of Government.

Serial No.

20. NOV 1924

D. No. 3702

R

Dewan

NOTE—Contn. Sheet

General and Revenue Secretariat. | SHA File No. 27 - of 1924.

Serial No.

(15) This case relates to a Pallegar family of Boya-durg whose past history is as follows:--

(17) "This family originally owned Pennakonda and other villages situated in the Bellary District, yielding a revenue of 60,000 pagodas and afterwards relinquished them to the Nizam of Hyderabad in exchange for another palyam of equivalent value. The Pallegars subsequently took possession of Rai-drug.

(18) The Palyam was invaded by Hyder Ali, and on the failure of the Pallegar subsequently to pay the requisite subsidy, Tippu confiscated the estate, and kept the Pallegars confined at Bangalore.

(19) After the fort of Seringapatam was taken by the British in 1799 the whole of the Pallegar prisoners were released. On Muddukrishnappa Nayak brother of the deposed Pallegar, representing his case to Divan Purnaiya, he appointed him a Risaldar in the Savar Cutcherry on a salary of Rs.67-12-9. On his death in 1812, his son Konati Nayik succeeded his father. Shortly after in 1815 he was transferred to the Kandachar Cutcherry, on a pension of Rs.67-12-9. On his death in 1861, his pension was divided between his two sons, viz., Muddukrishnappa Nayak and Nanjun Nayak. On the death in 1836 of Chikka Konati Nayik, his pension was continued to his son Nanjunda Nayik, who having absented himself without permission, the pension was transferred to his uncle Devakeri Nayik.

(20) This shows that the pension conferred on the members of this family was in consideration of the fact that their Palyapat lands were not restored to them by the Government after the pacification of the country.

NOTE—Contn. Sheet

General and Revenue Secretariat. S&A File No. 27 of 19 24

Serial No.

21) The question under reference is whether this pension was intended to continue only for the benefi of the male agnatic descendants of the original pensioners and in default of them that it should escheat to Government or that the other members of the family also should enjoy the pension. The proceedings of the Chief Commissioner of Mysore dated 8th November 1878 Fl.V shows that on this point the Government of Mysore were treating pensioners on liberal terms. That was a case of a pension of one of the members of the Chitaldrug Palyegar family and though his pension lapsed to Government it was revived in favour of his son and that the pension of another Palyagar was distributed among other members of the family.

22. G.O.No.Camp.1678 dated 29th October 1887 lays down a distinction between the pensions of Palyagars granted for political reasons and those granted in consideration of Palyapat lands not being re-granted In the same order it was pointed out that in Mysore this class of petty rulers lost their political power and importance during the Muhammadan rule and on the pacification of the country after the fall of Seringapatam, it was deemed inadvisable to restore to them their old Palyapat lands and they were accordingly granted money pensions." It therefore follows that in Mysore mostly these palyegar pensions were granted in lieu of Palyapet lands. Raidrug family therefore may be presumed to have been granted pension in lieu of palyapet lands.

23) With regard to the succession to the pensions of these palyagars, it was said in that order that "it will be no more than bare justice to extend to Mysore Palyagars pensions the same rule of succes-si

NOTE-Contd. Sheet

Serial No.

as applies to Palyapet lands- In the case of the latter succession admittedly vests in a son duly adopted and to apply the same rule to the Mysore Palyagar pensions shall be in strict accordance not only in fundamental principles of Hindu law and the precedents of the State when under a native rule but also with the popular general feeling in the matter." In para 9 of the same order it was laid down that "the rule of Hindu law which requires the previous sanction of the Soverign to adoption by a widow in such cases and which prescribes that the boy adopted shall be the nearest of kin to the adoptive father is of special importance, as regards the Palyagar pensions ~~the old laws~~ must therefore be most scrupulously followed in order to ensure the recognition of any adoption as valid for the purpose of succession of a Palyegar pension. The strict enforcement of this rule would be the means of keeping the pension in the same family a result which is highly desirable on ground other than those of mere conformity to Hindu law."

NB) This ruling refers to the case of adoption by a widow and this restriction was probably placed on her adoption, because it was thought that she was incapable of making an adoption in the interests of the family. Since no reference is made to a ~~family~~ male member of the ~~female~~ family making the adoption, this restriction perhaps does not apply to the adoption made by ~~the~~ a male member. Therefore when a male adopts a son duly, the adopted son would perhaps succeed to the pension also as laid down in para 8 of the same order.

NB) That the pension was not confined in its

Serial No.

succession only to the male ~~agnatic~~ agnatic members of the family is shown by the following cases:

(1) Chikballapur family Vide Flag S.

That was a case where after the death of the pensioner Chikkappaiya, the pension was divided among his mother, his step mother and his ~~own~~ widow. After the death of the mother the pension ~~was enjoyed~~ that was enjoyed by her was given to her daughter with the direction that she should maintain the son of another daughter. On the death of that daughter the pension was given to the son of the other daughter. These successions took place in spite of the fact that there was a male agnatic member of the family namely Venkatanarayanaswami who was contesting this succession at every step. This case clearly shows that the policy of Government has been that the pensions should be devoted ~~for~~ to the maintenance of the members of the family male or female and not necessarily that it should continue in the male line of descendants. It also shows that the Government were not anxious that the pension should lapse to Government in the absence of male descendants.

i.e. a sister's son to the last male holder, Chikkappa

(ii) The case of Mrs. Venkatanarasimmanni widow of Narayanaswami Naik (Fl.Z) shows that on the death of one of the male pensioners the pension was continued to his widow rather than to another male member of the agnatic line who was alive.

(iii) It follows therefore that the pension may go to any person who belongs to the family and if a male member duly adopts a son the adopted son become a member of the family and as such is entitled to th pension also.

NOTE—Contn. Sheet

Serial No.

26) There is another aspect of the case. In para 9 of the order of 1887 it was stated that the adopted boy should be nearest of kin to the adoptive father. Conceding that this para was meant to appl to the adoptions by ~~xx~~ males, ~~the question then is~~, (which is however doubtful as pointed out above) whether the daughter's son is not the nearest of kin within the meaning of that para. A daughter's son is a sapinda, he offers oblations to his ~~xxxxx~~ maternal grand father, he is very high in the orde of ~~xxxxxxxxxx~~ succession, in fact he ranks next to the daughter and is the fourth in the line of succession. Therefore he has a preferential right as an heir to the ascendants or collaterals like father, brothers &c. So the daughter's son should be considered as the nearest of kin. The adoption of such a boy is not therefore opposed to the spirit of the order of 1887.

27 Considering therefore that the Raidrug family pension was given in lieu of Pallepat lands, and as such the policy of Government with regard to their enjoyment is to be liberal and not confine it to male agnatics but to allow it to be enjoyed even by female members of the family, that there were instances in which even the sister's son of the last male pensioner as in the case of Puttamma quoted above was allowed to enjoy ~~by~~ the pension and that the daughter's son is one of the nearest of kin, it is submitted that ~~xxxxxxxxxxxxxx~~ Mr. Venkatadri Naik alias Venkataramanaswami Naik will be a fit person for adoption by the maternal grand father Mudduswami Naik the petitioner.

(In Lieu)

NOTE—Contn. She 27

(5) 3068/24 10

G.R.S. III[2] SM File No. 27 of 19 24 General and Revenue Secretariat

Serial No.

28 My former opinion is entirely based on the assumption that in the absence of adoption the pension would lapse. This view seems to derive much support if the pension enjoyed by the petitioner's father fell within the expression 'Mysore State pension' which was a political pension created only during the life of the creator - (vide Flag R). In the present case, I find that this is a Pallegar Pension given to the members of Raidurg family in view of Palegaru [illegible]. (Flag b).

29 From the history of these Pallegar family pensions, it is clear that the policy of Govt is to treat its members generously & to continue the pension to the descendants of the holders of the pension & that the Govt have created continued the pensions even to females & to illegitimate sons of Heads.

From the minute of Sir K. V. Iyer, it seems clear that the rule of succession to Pallegar lands should be extended to Mysore Pallegar pensions.

30 Applying these principles, the petitioner who is the daughter's son will be entitled to succeed to the pension if Govt duly adopt him.

For these reasons, I am constrained to differ from my former opinion & say that the minute of Sir K. S. Iyer dated [illegible] case will not be opposed to [illegible] Submitted with reference to para 15 supra.

NOTE—Contn. Sheet

Dewan.

14/1/25

DEWAN'S OFFICE, RECD. ON 19. JAN. 1925 No. 5775

G./ S. III-2.

General and Revenue Secretariat.

S:A File No. 27 of 1926

Serial No. 31)

Please refer the case again to the Financial Secretary for favour of opinion.

6045

first Ltr with Comp 15

29.1.

28/29-1.

31) The question involved is one of adoption. This is a legal matter and I do not think I can express any opinion on it.

Mull 7.2.25

Newan

32) May be considered in Council

Mull

Mull

33) Forwarded with compts to the Chief Secy

Mull 23/2/25

CS 34 circulate. 23/2/25

23/2/25

NOTE—Contn. sheet.

(For Disposal at a Meeting)

No. C. 322
of 1924-25

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause xxvii of the Schedule)

Representation of Mr. Mudduswami Naik requesting permission to - adopt Venkatadri Naik- his daughter's son- for the purpose of succession to the Pallegar pension.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

24th February 1925 Offg. *Chief Secretary to Government.*

Extraordinary Member of Council.

645/24

First Member of Council.

Second Member of Council.

6859
25-2-25

26/2

Third Member of Council.

C 322. 12

Extract from the Proceedings of the 730th *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 4th March 1925. *19*

168. Subject. - Clause xxvii of the schedule.

Representation of Mr. Kuddaswami Naik requesting permission to adopt Venkatadri Naik - his daughter's son - for the purpose of succession to the Pollegar pension.

OPINION OF THE COUNCIL.

The adoption by Mr. Kuddaswami Naik of his daughter's son may be recognized for the purpose of continuing the Pollegar pension in question.

(Signed) Mir Humza Husein,

Offg. Dewan of Mysore.

Financial Secretary, with compliments.

5-3-25

Recruitment

5/3/25

"EXTRACT"

Chief Secretary to Government.

WD 1471—GPB—2,000—1-3-21

3113

13)

General and Revenue Secretariat. | SHA File No. 27 of 1924.

Serial No.

DEMANDS OFFICE,
RECD. ON 12 MAR. 1925
REGD. NO. 670S

Draft Submission note is submitted for approval.

9/3 Dewan

11/3

13/3

Submitted to His Highness.

These papers relate to the representation of Mr. Mudduswami Naik of Rayadrug Pallegar Family praying for permission to adopt his daughter's son, viz., Mr. M.V. Venkatadri Naik alias M.V. Venkataramanswami Naik for succession to the Pallegar Pension drawn by him.

The petitioner's prayer for succession to the pension drawn by him was before Government more than once in the past and it was rejected on the ground that the boy was not nearest of kin as required by the Government Order of 29th October '87 laying down the conditions under which adoption to the families of Pallegar pensioners could be recognised by Government.

R & K

H

The petitioner Mr. Mudduswami Naik has renewed his request again and urges a reconsideration of the orders on the following grounds:--

1. That the circumstances of the family are such that he cannot think of adopting a son from the family of his cousins who are with him on terms of fued as proved by many police records, and

2. That they are divided from his father's time and that they are living separately and drawing their pension independently.

He further represents that the adoption of daughter's son is permissible under the Hindu Law and that it has particularly to be recognised in his case.

The papers were referred to the Local and Legislative Secretary who at first held that the adoption of a daughter's son cannot be recognised, but on a further consideration of the whole question, he has recorded his opinion that under do— Government Order dated the 29th October 1887 the rule of

succession to Pallepet Lands should extend to Mysore Pallegar Pensioners and that the petitioner's prayer to adopt his daughter's son is not opposed to the principles enunciated in that Government Order. This opinion of the Local and Legislative Secretary is supported by precedents and is in quite conformity with the trend of Hindu Law under which the daughter's son takes a higher place than all divided agnates.

The matter was considered in Council and it has resolved that "the adoption by Mr. Mudduswami Naik of his daughter's son may be recognised for the purpose of continuing the Pallegar Pension in question".

I solicit the gracious approval of His Highness to the resolution of the Council.

Camp, Chennaroyapatna,
14th March 1925.

CSR.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Representation of Mr. Muddu-swami Naik of Rayadrug Pallegar Famil praying for permission to adopt his daughter's son for succession to the Pallegar pension drawn by him.

617

Order.

~~KRW~~
18/3/25

Confirmed
KRW
22/3

NB/22

C 322

General and Revenue Secretariat

SRA 27 – 24

Representation of Mr. Madhuswami Naik requesting permission to adopt Venkatadri Naik – his daughter's son – for the purpose of succession to the Palleyar pension.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circlated to the Members of Council at headquaters and then sent to the Secretariat coneerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before / after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

S. Ramaswamy 23.3.25
Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

505 NB

FIRST MEMBER OF COUNCIL.

7619 23/3

SECOND MEMBER OF COUNCIL. 24/3/25

EXTRA MEMBER OF COUNCIL.

Financial Secy, with Comps

24-3-25

Please issue orders

Draft read 26/3 Draft 26/3/25

NOTE - Contn. sheet.

3113

General and Revenue Secretariat. SM File No. 27 of 1924

Serial No.	
	Draft G.O. Submitted for approval. Please pass fair draft as revised 28/3 — 29/3/25
	Fair typed draft submitted. 30/3 — 31/3/25
	1/4/25
6	To Comptroller, No. 2E 5477 dt 4.4.25 Directs that the adoption by Mr. Mudu-Swami Naik of his daughter's son — Mr. Venkataramanaswami Naik be recognised for the purpose of continuing the Pallegar Pension of Mr. Muruswami Naik.

B

NOTE—Contn. Sheet

D.F. No. 41
22.8.24.

D. 746

To

A. R. Banerji, Esquire, M.A., I.C.S., C.S.I., C.I.E.,

Dewan of Mysore,

BANGALORE.

Sir,

With reference to Government Order No.Fl.27-S+A.111-23-2 dated 2-7-1924 stating that Government see no reason to reconsider the order communicated to me in No.Fl.1284- S & A 189-20-8 dated 27-8-1921, regarding my adopting my daughter's son Venkatadri Naik, I beg to submit the following for your kind reconsideration:-

1. From the accompanying Geneological Tree No.1 of my relations it will be seen that my only son Ramaswami Naik and his wife are dead and that I have only my daughter Gowrammanni who is also widowed and her son Venkatadri Naik under whose care I am now. My cousins Chikka Koneti Naik and his two sons Rajagopala Naik and Venkatapathi Naik were divided from my father's time and are living separately. As the pensions were increased in Sir K. Seshadri Iyer's time by 50 % my father and subsequently myself got Rs.103-2-0 per month instead of Rs.68-12-0 which my father got before.

2. My cousins have been giving me trouble and we have not been in good terms from a long time. There are many Police Records to show the same. So late as June 1923 also they we warned by the Police.

3. Government in their Order Camp No.1678 dated 29 para 8 say that succession vests in the son duly adopted as

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as it would be in strict accordance not only with the fundamental principles of the Hindu Law and the precedents of the State but also with the popular general feeling in the matter and in para 9 of the same Government Order they say how a widow should adopt. As my son and his wife also are dead I am under the care of my only daughter who will be my next heir. She has given her consent also for my adopting her son that is, my grand son by her.

4. A perusal of the Government Order (1) Residency No. 117 dated 12-8-1880 (2) No.P P 86-87 dated 10-11-1900 and (3) No.Fl.3408-9-S & A 127-09-7 dated 19-1-1910 and the Geneological Tree No.2 enclosed will show that the pension Rs.91-11-3 of Chikkappayya of the Chikkaballapur Polegar Family was divided between his widow Venkatalakshmammanni getting Rs.45/- and his mother who had two daughters getting Rs.22-8-0 and his step - mother getting Rs.22-8-0. On the death of the Step mother her pension Rs.22-8-0 also reverted to Chikkappayya's widow. After Venkatalakshmammanni's death her pension Rs.45 plus 22-8-0 or in all Rs.67-8-0 was divided equally between her two daughters Chayammanni and Nagara Lakshammanni. This Chayammanni had two daughters Chayammanni and Nagaralakshmammanni, but the former p[redacted]deceased her mother leaving her son Puttannayya who is now drawing the pension of the whole family.

Reading the Proceedings of 1887 with those of 1880 and 1900 and 1910 quoted above it will be seen that even widows have been allowed to adopt and that the pension descends to the - female line also in a divided family. As my cousins have been divided and inimical to me I cannot make up my mind to adopt in their family. Besides according to the Hindu Law my daughter will be my next heir, as the proceedings cited above show it. As even widows have been permitted to adopt, I beg permission

62

to adopt my daughter's son Venkatadri Naik alias Venkata-Ramanaswami Naik as they are the only persons taking care of me in my old age. I beg you will kindly pass early orders favourably.

For this act of kindness I shall, in duty bound, ever pray for your long life and prosperity.

I beg to remain,

Sir,

Your most obedient servant,

ಅಂಜನೇಯಸ್ವಾಮಿ ಬಿನ್ ವೆಂಕಟಾದ್ರಿ ನಾಯಕ

08.59

21.7.80

No.190 Visveswarapuram

Bangalore Fort P.O.

Dated ~~24th~~ 22nd August 24.

I

63

Koneti Naidu.

(Deceased)

R.P. Muddu Krishnappa Naik.
(Deceased)
Pension Rs.68-12-0 increased by 50 % in Sir K.Sheshadri Iyer's time in all Rs.103-2-0

R.P. Mudduswami Naik
about 80 years. Pension of Rs. 103-2-0.

R.P. Ramaswami Naik & his wife.
(both deceased)

Gowrammanni

M.V. Venkatadri Naik alias M.V. Venkataramana-swami Naik.

Nanjundappa Naik
Pension Rs.58-5-10 plus 50 % of it.

Chikka Koneti Naik
(about 58 years)

Rajagopala Naik
age about 40

One daughter about 3 years.

Venkatapathi Naik
aged about 35

One daughter about 7 years.

.....

II.

Chikkappayya --- Venkatalakshmammanni

(Deceased) Pension Rs.91-11-0 Pension Rs. 45 & later on 67-8-0(Dead)

Chayammanni (Dead)
Pension Rs. 33-12-0

Nagalakshmammanni,

Chayammanni.

Puttannayya.

Nagaralakshmammanni

Pension Rs.33-12-0.

2264(A)
P

DIARY NO. 1899

LOCAL AND LEGISLATIVE SECRETARIA
PETITION BRANCH

SFA
27-24

To

K.Mathan,Esquire,B.A.,
Chief Secretary to the Government,
of Mysore,
Bangalore.

Sir,

In continuation of my application of August 1924, soliciting your permission to adopt my daughter's son M.V.Venkataramanaswamy Naik alias M.V.Venkatadri Naik I beg to state that no orders have been passed on the same. In my former application I cited the G.O.No. PP86-87 of 10-11-1900 and Fl 3408-9/8and A127-09-7 of 19-1-1910 as precedence.

My cousins are themselves aged over 35 and 40 years and have no issues. They are married and divided and are drawing their own pension seperately. They are not in good terms with me. So I cannot adopt any from that family. My daughter's son is the nearest heir to me and I am under the care of my daughter and her son.

I therefore beg that Government may kindly permit me to adopt my daughter's son, which the Hindu Law permits

I beg to remain,
Sir
Your most obedient servant,
[signature]

Bangalore,
21st Novr. 1924.

Address:- 190, Visveswarapuram,
Bangalore City.

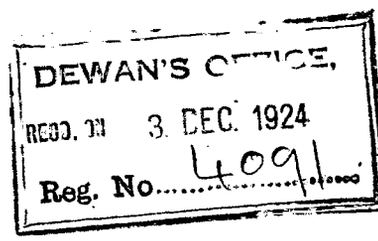
D746
SFA 27-24-1

24-
1 Rep. G.P. No 118
28.11.24.

MEMO OF INTERVIEW WITH THE DEWAN.

28 NOV 1924 .....192 .

Name of Interviewer—



Representation in brief—

Early Date 28.11.24

The main file (Jud. 27-24-1) was submitted to Dewan by the L.L. Secy. on 22.XI.24 with his opinion.

29/11/24

29/11

Over

To be sent

Remm 1918/24

DIARY NO. 1995

19 19

Extract

Ex. No. 27/24

Serial No.

To

P. A. R. Banergi, Esq., M.A., I.C.S., C.S.I., C.I.E.,

Dewan of MYSORE.

BANGALORE.

Respected Sir,

In continuation of my application dated 8-8-24 requesting you to reconsider the decision of Government of 2-7-24 regarding my adopting my daughter's son, I beg to approach you with the following facts.

G.O.Camp No.1678 of Mysore 29-10-1887 refers to a Madras Government Order authorising Collectors to recognise an adoption when the party adopted was near of Kin to the party making adoption, as nephew or first cousin of an undivided family and the former part of the same para and para 7 alsoe show the generous nature of His Highness's Government regarding poor Pallegars.

As per para 8 of the said G.O. as we were given pensions instead of our Pallepat lands the fundamental principles of the Hindoo Law and the precedents of the State are to be applied for the pensions as for Pallepat lands. I have no doubt two cousins. They are over 36 and 40 years in age and have no male issues. Besides they are divided and they get their pensions separately. They are not in good terms with me as the police records will show. I therefore cannot adopt them. My daughter and her son have been protecting me and my wife since 8 or 10 years when my son and daughter-in-law died. I therefore wish to adopt my daughter's son M.V.Venkatadri Naik alias -- M.V.Venkataramana Swamy Naik. The Hindoo Law also permits this. Though there were cousins as they were divided, the Pallegar pension was continued in the female line in the Chikkaballapur Family Vide G.O. No.(1) PP. 86-87 of 10-11-1900 and No.(2) Fl-3408-9/8 and A 127-09-7 of 19-1-1910.

I therefore pray that you will kindly permit me to adopt my daughter's son.

I beg to remain, Respected Sir,
Your most obedient servant,

Dated 28th Nov. 1924.
190. Visweswarapuram,
Bangalore City.

DIARY NO. 3113

To

Mushir-Ul-Mulk Mir Humza Hussain, Esq., B.A. B.L.

Dewan of Mysore,

Bangalore.

Sir,

In continuation of the application dated 3-8-1924 and subsequent reminders regarding my adopting my daughter's son M. V. Venkatadri Naik alias M. V. Venkataramana Swamy Naik I beg to repeat that I am divided from my distant cousins and they are all 35 and 40 years of age and they also have no male issues, besides they are not in good terms with me, as can be seen from the Police records; they have also been drawing their pension separately.

Owing to my indisposition, I was obliged to adopt my daughter's son, and I adopted him on 25-4-1919 only. I therefore beg that you may kindly be pleased to sanction the same. I have repeatedly been begging for the same. I pray you will kindly pass early orders on my application.

I beg to remain, Sir,

Your most obedient servant,

Dated 20-2-1925.

No.190. Visveswarapuram,

Bangalore City.

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G.R.S. VI G 31]

SUBJECT.....

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Diary No. of letter replied to.....3113.....

Section S.& A

File No. 27-24.

Serial No. 6

General and Revenue Secretariat

( )

, *the* *192* .

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue.....4.4.25.....

Signed by.....M.C.Rangachar.....

Read—

Petitions dated 22nd August 1924 and 28th November 1924 from Mr Mudduswami Naik praying that he may be permitted to adopt his daughter's son. M.V.Venkatadri Naik alias M.V. Venkataramanaswami Naik who may be allowed the Pollegar pension now drawn by him.

May this be

i Printed ?

ii treated as a standing order ?

iii. published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Order ~~Thereon~~ No. H5054

Dated, Bangalore, the 4.4 1925

The petitioner's prayer was before Government more than once in the past and it was not granted on the ground that the young man pro

proposed to be taken in adoption was not nearest of kin, as required by Government Order No. Camp. 1678 dated 20th October 1887, laying down the conditions under which adoption to the families of Pollegar pensioners would be recognised by Government.

The petitioner Mr. Mudduswami Naik has renewed his request again and urged a reconsideration of the orders on the following grounds:-

(1) That the circumstances of the family are such that he cannot think of adopting a son from the family of his cousins who are on terms of fued with him as proved by many police records, and

(2) That they are divided from his father's time and that they are living separately and drawing their pensions independently.

(3) That the adoption permissible under the Hindu Law made by him on 25th April 1919.

(3) He further represents that the adoption of daughter's son is permissible under the Hindu Law and that the adoption already made by him on 25th April 1919 may be recognised.

On reconsideration of the case and in view of its special features urged by the petitioner, Government are pleased to direct that the adoption by Mr. Mudduswami Naik of his daughter's son M.V.Venkatadri Naik alias M.V. Venkataramanaswami Naik be recognised for the purpose of continuing the Pollegar pension of Mr. Mudduswami Naik.

List of enclosures.

Copied by

Examined by

Financial Secretary to Govt.

1/4/26

To

The Comptroller, Mysore Govt.
Copy to Mr. Mudduswami Naik for information.

WD 1883—GPB—1,000,00—21-12-21

G.R.S. VI G 31]

SUBJECT.....

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Diary No. of letter replied to.....3113.....

Section S.& A.

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General and Revenue Secretariat

( )

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Order ~~Thereon~~ No. 45054

Dated, Bangalore, the 4.4 1925.

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